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OCT 16 2003

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

LUTHER B. THOMAS, Clerk
By: *[Signature]* Deputy Clerk

IN RE: TRI-STATE
CREMATORY LITIGATION

MDL DOCKET NO. 1467

This Order relates to:

ALL CASES

ORDER

This case is before the Court on Defendant Putnam Funeral Home, Inc.'s Motion for Relief from August 16, 2002, Order [504].

Defendant Putnam Funeral Home, Inc. has reached a tentative settlement agreement with Plaintiffs. Defendant Putnam Funeral Home, Inc. consequently seeks relief from any further contribution toward payment of lead/liaison counsel fees and expenses or any expenses incurred jointly by the Funeral Home Defendants.

The Court finds that Defendant Putnam Funeral Home, Inc.'s request is appropriate. The Court therefore relieves Defendant Putnam Funeral Home, Inc. from responsibility for, and liability for, payment of the fees and expenses of liaison counsel and expenses incurred jointly by the Funeral Home Defendants accruing after September 18, 2003, the date that the Court tentatively approved the settlement involving Plaintiffs and Defendant Putnam Funeral Home, Inc. If the settlement between Plaintiffs and Defendant Putnam Funeral Home, Inc. does not actually take place,

the Court will issue an Order requiring Defendant Putnam Funeral Home, Inc. to participate in fees and expenses of liaison counsel and expenses incurred jointly by the Funeral Home Defendants relating to discovery that accrue after September 18, 2003, if the Court finds that such discovery has benefitted Defendant Putnam Funeral Home.

ACCORDINGLY, the Court **GRANTS** Defendant Putnam Funeral Home, Inc.'s Motion for Relief from August 16, 2002, Order [504].

IT IS SO ORDERED, this the 16th day of October, 2003.


UNITED STATES DISTRICT JUDGE